

CITY OF ISSAQUAH
DETERMINATION OF NONSIGNIFICANCE (DNS)

Description of Proposal: Proposal for a new wireless communication facility consisting of mounting 9 antennas on the exterior rooftop equipment screening walls on Issaquah High School. Antennas would be painted to match the existing screen walls and radio equipment cabinets would be located on the roof between existing screen walls and would not be visible. The facility is designed to provide increased coverage to the Issaquah High School campus and the surrounding area.

Location of Proposal: 700 2nd Ave SE, Issaquah High School

Permit Number: ASDP14-00001

Proponent:	T-Mobile USA	Gary Abrahams
	19807 North Creek Parkway N	P.O. Box 1557
	Bothell, WA 98011	Bothell, WA. 98041

Lead Agency: City of Issaquah

SEPA Determination: Determination of Non-Significance (DNS)

Determination: The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An environmental impact statement is not required under RCW 43.21C.030(2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request.

Comments: This DNS is issued under WAC 197-11-340(2). The lead agency will not act on this proposal for 14 days. Written comments may be submitted between **March 26, 2014** and **April 9, 2014**. The Responsible Official will reconsider the DNS based on timely comments and may retain, modify, or if significant adverse impacts are likely, withdraw the DNS.

Appeals: You may appeal this determination by filing a Notice of Appeal with the Issaquah Permit Center located at 1775 12th Ave. NW, Issaquah between **March 26, 2014** and **April 9, 2014**. Appellants should prepare specific factual objections. Contact the SEPA Responsible Official to read or ask about the procedures for SEPA appeals.

Appeals of this SEPA determination must be consolidated with appeal of the underlying permit, per IMC 18.04.250.

Responsible Official: Peter Rosen

Position/Title: SEPA Responsible Official

Address/Phone: P.O. Box 1307, Issaquah, WA 98027-1307 (425) 837-3094

Date: 3/26/2014

Signature:  _____

Notes:

1. This threshold determination is based on review of the following application materials:
Environmental Checklist received January 14, 2014; construction plans received January 14, 2014;
photo simulations received January 14, 2014; network coverage map received January 14, 2014;

Non-Ionizing Electromagnetic Exposure Analysis & Engineering Certification received January 14, 2014; and other documents in the file.

2. Issuance of this threshold determination does not constitute approval of the permit. The proposal will be reviewed for compliance with all applicable City of Issaquah codes, which regulate development activities, including the Land Use Codes, Building Codes, Road Standards, Surface Water Design Manual, and the Critical Area Regulations.

Findings:

- 1) SEPA review is required by State law when personal wireless service facilities are attached to a school building, WAC 197-11-800(27).
- 2) It is the City's policy to minimize the number of new wireless communication support towers and to encourage co-location on existing structures. The proposed antennas would be located on the rooftop of the existing Issaquah High School building.
- 3) There would be no impacts to vegetation or natural features because the antennas would be mounted on the building rooftop.
- 4) The proposal would not have aesthetic impacts because the antennas would be painted to match the rooftop screen walls and the radio equipment cabinets would be located between existing screen walls and would not be visible.
- 5) The applicant provided a report, *Non-Ionizing Electromagnetic Exposure Analysis & Engineering Certification*, B.J. Thomas, dated November 13, 2013, which concludes the proposal would comply with current standards of the Federal Communications Commission (FCC) for human exposure to radio frequency electromagnetic fields.
- 6) The Federal Communications Commission (FCC) has preempted state and local governments from regulating personal wireless service facilities on the basis of environmental effects of radio frequency emissions. The FCC, not state or local governments, has the authority to determine the standards that wireless facilities must meet with regard to radio frequency emissions. Section 322(c)(7) of the Federal Communications Act states: "*No State or local government or instrumentality thereof may regulate the placement, construction, and modification of personal wireless service facilities on the basis of environmental effects of radio frequency emissions to the extent that such facilities comply with the FCC's regulations concerning such emissions.*"
- 7) SEPA rules, WAC 197-11-158(2)(d), direct a lead agency to place the following statement in the threshold determination if all of a project's impacts are addressed by other applicable laws and no conditions will be required under SEPA: "The lead agency has determined that the requirements for environmental analysis, protection, and mitigation measures have been adequately addressed in the development regulations and comprehensive plan adopted under chapter 36.70A RCW, and in other applicable local, state, or federal laws or rules, as provided by RCW 43.21C.240 and WAC 197-11-158. Our agency will not require any additional mitigation measures under SEPA."

cc: Issaquah School District, Steve Crawford
Washington State Department of Ecology
Washington State Department of Fish and Wildlife
Muckleshoot Indian Tribe
U.S. Army Corps of Engineers
Issaquah Development Services Division
Issaquah Parks and Public Works Department